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REMARKS

The application has been reviewed in light of the Office Action dated August 31, 2006. Claims 1-39 were pending. By this Amendment, claims 19, 21-23 and 37 have been amended to place the claims in better form for examination and to clarify the claimed invention, and new claims 40-58 have been added. The Office Action indicates that claims 2, 4, 6, 8, 10, 12, 14, 16-18, 26-29 and 33-35 are allowed. Accordingly, claims 1-58 are now pending, with claims 1-4, 9, 10, 13-24, 26, 30, 33, 36, 40, 42, 44, 46, 50 and 53-58 being in independent form.

Claims 21-23 were rejected under 35 U.S.C. §101, as allegedly directed to non-statutory subject matter. Claims 37 and 38 were rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite.

By this Amendment, the claims have been amended with particular attention to the points raised in the Office Action.

Withdrawal of the rejection under 35 U.S.C. §101 and the rejection under 35 U.S.C. §112 is respectfully requested.

Claims 1, 3, 5, 7, 9, 13, 15, 19-21, 23-25 and 36-38 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over U.S. Patent No. 6,618,749 to Saito et al. in view of U.S. Patent No. 6,043,904 to Nickerson. Claims 11, 30-32 and 39 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over Saito in view of Nickerson and further in view of U.S. Patent No. 5,134,501 to Satomi et al.

Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits that independent claims 1, 3, 9, 13, 15, 19-21, 23, 24, 30 and 36 are patentable over the cited art, for at least the following reasons.

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This application relates to a network facsimile device connected to the Internet or a local area network, employing an electronic mail function, and having a function of exchanging image information through said Internet or said local area network and functions of a facsimile device. A delivery system has been developed for delivering an additional electronic mail to a sending terminal for confirming the delivery of electronic mail (from the sending terminal) to the other communication. Such e-mail is referred to as a delivery confirming mail.

Applicant devised an improvement whereby a received delivery confirming mail can be transferred to another address. Such an improved approach includes storing a mail address of a destination address to which a confirmation is to be delivered, detecting, at a time of receiving electronic mail, whether the received electronic mail is an electronic delivery confirmation mail, and transferring the received delivery confirmation mail to the stored destination address. Each of independent claims 1, 3, 9, 13, 15, 19-21, 23, 24, 30 and 36 addresses these features, as well as additional features.

Saito, as understood by Applicant, proposes an Internet facsimile system configured to detect whether (or not) a received e-mail is failure mail or delivery status notification mail. Saito proposes that if the received e-mail is determined to be delivery status notification mail, the received e-mail is processed to extract information regarding failure or success of transmission of the original document, and the extracted failure/success information is combined with a part of the image of the original document on one page and then the page output.

Saito, as acknowledged in the Office Action, does not teach or suggest storing a mail address of a destination address to which a confirmation is to be delivered, and transferring the received delivery confirmation mail to the stored destination address.

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Nickerson, as understood by Applicant, proposes a facsimile machine configured to send job confirmation information to a confirmation destination via e-mail, telecommunication network, or voicemail, after a received facsimile (job) is printed at the machine.

Although Nickerson proposes sending a confirmation message which originated at the facsimile machine from the facsimile machine to a specified confirmation destination after a facsimile is printed, Nickerson, like Saito, does not teach transferring a received delivery confirmation mail to the stored destination address.

Satomi, as understood by Applicant, proposes a facsimile machine configured to register names of remote stations to which facsimile communications are often carried out. Satomi was cited in the Office Action as purportedly proposing preparing an error report only if communication a communication error takes place, if a predetermined function key is depressed.

Applicant simply does not find teaching or suggestion in the cited art, however, of a network facsimile device, the operations of which includes (i) storing a mail address of a destination address to which a confirmation is to be delivered, (ii) detecting, at a time of receiving electronic mail, whether the received electronic mail is an electronic delivery confirmation mail, and (iii) transferring the received delivery confirmation mail to the stored destination address, as provided by the subject matter of claim 1.

Independent claims 3, 9, 13, 15, 19-21, 23, 24, 30, 36 and 53-58 are patentably distinct from the cited art for at least similar reasons.

Accordingly, for at least the above-stated reasons, Applicant respectfully submits that independent claims 1, 3, 9, 13, 15, 19-21, 23, 24, 30, 36 and 53-58, and the claims depending therefrom, are patentable over the cited art.

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The Office Action indicates that claims 2, 4, 6, 8, 10, 12, 14, 16-18, 26-29 and 33-35 are allowed.

Applicant appreciates the Examiner's statement of reasons for allowance in the Office Action and submits that the allowed claims recite subject matter which further supports patentability for reasons in addition to those identified in the Examiner's statement of reasons for allowance in the Office Action.


New claims 40-52 are believed to be allowable for similar reasons.

In view of the amendments to the claims and remarks hereinabove, Applicant submits that the application is now in condition for allowance. Accordingly, Applicant earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



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